

16179 U.S. PTO  
120803

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No: 14140US02

**PATENT APPLICATION TRANSMITTAL**

22154 U.S. PTO  
10/731300

120803

**Box Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

Transmitted herewith for filing is the patent application of

**Inventor(s): Jesse R. Miller, Barbara C. Stahly, Leonard J. Chyall, Igor Ivanisevic and Simon Bates**

**Title: METHOD AND APPARATUS FOR X-RAY DIFFRACTION ANALYSIS**

**APPLICANT CLAIMS SMALL ENTITY STATUS. See 37 C.F.R. § 1.27.**

**1. Type of Application**

This new application is for a:

☒ utility patent.

☐ design patent.

This application is a:

☐ continuation

☐ divisional

☐ continuation-in-part (CIP)

**2. Application Papers Enclosed**

— Title Page

9 Pages of Written Description (excluding Claims, Abstract & Drawings)

1 Page(s) of Claims (1- 6)

1 Page(s) of Abstract


2 Sheet(s) of Drawings (Figs. 1-2)

☐ Formal

☒ Informal

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this Patent Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **December 8, 2003**, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EV327682924US.

  
Michael B. Harlin

3. Declaration or Oath

☐ Enclosed

Executed by (check all applicable boxes)

☐ Inventor(s)

☐ Legal representative of inventor(s)

(37 CFR 1.42 or 1.43)

☐ Joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached

☐ The petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 are enclosed. See Item 5D below for fee.

☒ Not enclosed - the undersigned attorney or agent is authorized to file this application on behalf of the applicant(s). An executed declaration will follow.

4. Additional Papers Enclosed

☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

☐ Preliminary Amendment

☐ Information Disclosure Statement, including copies of cited references

☐ Declaration of Biological Deposit

☐ Computer readable copy of sequence listing containing nucleotide and/or amino acid sequence

☐ Associate Power of Attorney

☐ Verified translation of a non-English patent application

☐ An assignment of the invention (copy of recorded assignment(s) from prior application)

☐ Certified copy(ies) of application(s):

| COUNTRY | APPLICATION NO. | FILED |
|---------|-----------------|-------|
|         |                 |       |
|         |                 |       |
|         |                 |       |

from which priority under 35 USC 119 is claimed

☐ is(are) attached.

☐ will follow.

☐ Other

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5. Filing Fee Calculation (37 CFR 1.16)

A. ☒ Utility Application

| CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)              |           |           |              |           |                           |           |
|---|-----------|-----------|--------------|-----------|---------------------------|-----------|
|   |           |           | SMALL ENTITY |           | OTHER THAN A SMALL ENTITY |           |
|   | NO. FILED | NO. EXTRA | RATE         | FEE       | RATE                      | FEE       |
| BASIC FEE   |           |           |              | \$ 385.00 |                           | \$ 770.00 |
| TOTAL   | 6 - 20    | = 0       | X 9 =        | \$        | X 18 =                    | \$        |
| INDEP.  | 3 - 2     | = 0       | X 43 =       | \$        | X 86 =                    | \$        |
| <input type="checkbox"/> First Presentation of Multiple Dependent Claim |           |           | + 145 =      | \$        | + 290 =                   | \$        |
| Filing Fee:   |           |           |              | \$ 385.00 | <b>OR</b>                 | \$ 00     |

B. ☐ Design Application (\$160.00/\$320.00) Filing Fee: \$ \_\_\_\_\_

C. ☐ Plant Application (\$245.00/\$490.00) Filing Fee: \$ \_\_\_\_\_

D. Other Fees

☐ Recording Assignment [Fee -- \$40.00 per assignment] \$ \_\_\_\_\_

☐ Petition fee for filing by other than all the inventors  
or person on behalf of the inventor where inventor refused  
to sign or cannot be reached [Fee -- \$130.00] \$ \_\_\_\_\_

☐ Other \$ \_\_\_\_\_

**Total Fees Enclosed \$ 385.00**

6. Method of Payment of Fees

☒ Enclosed check in the amount of: \$ 385.00

☐ Charge Deposit Account No. 13-0017 in the amount of: \$  
A copy of this Transmittal is enclosed.

☐ Not enclosed

7. **D posit Acc unt and R fund Auth rizati n**

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 or under other applicable rules (except payment of issue fees), to Deposit Account No. 13-0017. A copy of this Transmittal is enclosed.

Please refund any overpayment to Deposit Account No. 13-0017.

Please direct all future communications to Michael B. Harlin at the address below.

McAndrews, Held & Malloy, Ltd.  
500 West Madison Street, 34th Floor  
Chicago, Illinois 60661

Please direct all telephone calls to Michael B. Harlin at (312) 775-8202. Please direct all facsimile transmissions to Michael B. Harlin at (312) 775-8100. Please direct all e-mail transmissions to mharlin@mhmlaw.com.

Respectfully submitted,

By: Michael B Harlin  
Michael B. Harlin  
Registration No. 43,658

Date: December 8, 2003

**CUSTOMER NO. 23446**